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[Signature]

*See all*

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SAMUEL BERTRELL MOORE,  
Petitioner

vs.

DAVID ROMINE,  
Respondent

:  
:  
: CIVIL ACTION NO. 1:CV-00-2148  
:  
:

**FILED**  
**HARRISBURG, PA**

O R D E R

MAY 01, 2001

MARY E. D'ANDREA, CLERK  
PER *[Signature]* DEPUTY CLERK

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The Petitioner has filed a motion to stay our order of April 18, 2001, dismissing his 2241 petition for failure to exhaust administrative remedies before the Bureau of Prisons (BOP). Claiming that he will suffer irreparable injury if we fail to grant the motion, he seeks injunctive relief "monitor[ing]" the administrative proceedings.

We fail to see how the Petitioner will suffer irreparable injury if we do not stay our dismissal order. His 2242 petition sought credit on a federal sentence of 151 months imposed in 1997 for 400 days spent in custody before the sentence was imposed. The Petitioner will not suffer irreparable injury if he is forced to complete his administrative remedies because, if he is correct, he will have time to litigate the issue in federal court should the BOP render an adverse decision.

Accordingly, this 1st day of May, 2001, upon consideration of the Petitioner's "motion for stay of judgment," filed April 30, 2001, it is ordered that the motion is denied.



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William W. Caldwell  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

May 1, 2001

Re: 1:00-cv-02148 Moore v. USA

True and correct copies of the attached were mailed by the clerk  
to the following:

Samual Bertrell Moore  
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Harrisburg, PA 17108

cc:

Judge	( )	( )	Pro Se Law Clerk
Magistrate Judge	( )	( )	INS
U.S. Marshal	( )	( )	Jury Clerk
Probation	( )		
U.S. Attorney	( )		
Atty. for Deft.	( )		
Defendant	( )		
Warden	( )		
Bureau of Prisons	( )		
Ct Reporter	( )		
Ctroom Deputy	( )		
Orig-Security	( )		
Federal Public Defender	( )		
Summons Issued	( )	with N/C attached to complt. and served by:	
		U.S. Marshal ( )	Pltf's Attorney ( )
Standard Order 93-5	( )		
Order to Show Cause	( )	with Petition attached & mailed certified mail	
		to: US Atty Gen ( )	PA Atty Gen ( )

Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

DA of County ( ) Respondents ( )

MARY E. D'ANDREA, Clerk

DATE: 5-1-01

BY:   
Deputy Clerk